

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LEE E. SZYMBORSKI,

Plaintiff,

vs.

SPRING MOUNTAIN TREATMENT  
 CENTER, *et al.*,

Defendants.

Case No. 2:15-cv-00889-GMN-CWH

**ORDER**

This matter is before the Court on Plaintiff Lee E. Szymborski's ("plaintiff") Application for Leave to Proceed In Forma Pauperis (doc. # 1), filed May 12, 2015.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court, in addition to a \$50.00 administrative fee, effective May 1, 2013, for a total of \$400.00. The court may authorize the commencement of an action "without prepayment of fees and costs or security therefor, by a person who makes an affidavit that he is unable to pay such costs or give security therefore." 28 U.S.C. § 1915(a).

Plaintiff submitted the affidavit required by § 1915(a) to show that he is unable to prepay fees and costs or give security for them. In his application, plaintiff does not bother to fill-out question # 2, which requires plaintiff to state whether he is currently employed and, if so, how much he earns per pay period. Plaintiff then states he currently has \$47.00 in his bank account, and receives \$1,698.00 in social security benefits. Plaintiff also appears to indicate he spends \$400.00 on rent and \$818.00 on mortgage each month, but it is unclear whether plaintiff is actually claiming such, and if he is, why he would be paying both rent and a mortgage for real property. Moreover, plaintiff indicates his monthly expenses are \$102.00 on satellite television, \$50.00 on property taxes, \$122.00 on electricity,

1 \$500.00 on food, \$50.00 on maintenance, \$80.00 on water, \$60.00 on home insurance, \$35.00 on life  
2 insurance, \$20.00 on cell phone service, \$50.00 on gas, \$50.00 on auto insurance, and \$50.00 on  
3 cleaning supplies. Plaintiff further indicates he has no debt and no dependants, and possesses a 1978  
4 Dodge B-200 van worth approximately \$800.00. Based on the information provided, this Court is  
5 unable to determine whether plaintiff can afford the filing fee required to pursue the instant action.

6 Accordingly, **IT IS HEREBY ORDERED** that plaintiff's Application for Leave to Proceed  
7 In Forma Pauperis (doc. # 1) is **denied without prejudice**.

8 **IT IS FURTHER ORDERED** that the Clerk of Court shall mail plaintiff a blank Application  
9 to Proceed In Forma Pauperis.

10 **IT IS FURTHER ORDERED** that plaintiff shall have until **Tuesday, June 9, 2015**, in which  
11 to submit a completed application that includes supplemental information addressing those issues  
12 raised in this order, or to pay the \$400.00 filing fee. Failure to comply with this order will result in  
13 a recommendation that this case be dismissed. The Clerk of Court shall retain plaintiff's complaint.

14 DATED: May 19, 2015

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18 C.W. Hoffman, Jr.  
19 United States Magistrate Judge  
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